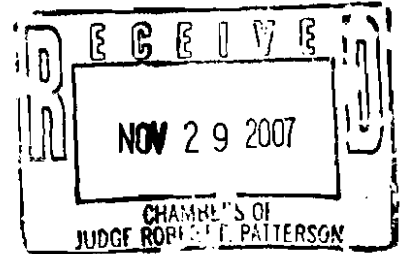


SCHOEMAN, UPDIKE &amp; KAUFMAN, LLP

60 EAST 42<sup>ND</sup> STREET  
NEW YORK, N.Y. 10165-0008

www.schoeman.com

DAVID B. GORDON  
dgordon@schoeman.comTELEPHONE (212) 681-5030  
FACSIMILE (212) 687-2123

November 29, 2007

VIA FACSIMILEHon. Robert P. Patterson  
United States District Judge  
United States Courthouse  
500 Pearl St., Room 2550  
New York, NY 10007**MEMO ENDORSE**Re: Dolores Emiliano v. AlliedBarton Security Services  
Case No. 07-CV-8234 (RPP)

Dear Judge Patterson:

This firm is counsel for Defendant AlliedBarton Security Services in the above-referenced matter. On behalf of Defendant, we are respectfully requesting an adjournment of the December 5, 2007 case management conference, with the consent of opposing counsel, for the reasons set forth herein.

Defendant was served with the Summons and Complaint on October 31, 2007, and timely filed its Answer on November 20, 2007. Defendant did not receive notice of the case management conference until November 21, 2007, when Plaintiff's counsel sent a copy of the Calendar Notice setting the conference to Defendant's counsel via facsimile. Because of this very recent notice of the case management conference, counsel's previously scheduled holiday plans around Thanksgiving last week, and scheduling conflicts in other matters, the parties will not have sufficient time to confer regarding discovery and scheduling issues and/or to discuss whether early resolution of this matter may be possible prior to December 5, 2007.

In addition to my firm, as soon as the appropriate certificates of good standing are obtained, Defendant anticipates filing *pro hac vice* motions seeking permission for Marty N. Martenson and Donna L. Keeton at Martenson, Hasbrouck & Simon LLP in Atlanta, Georgia, to appear as counsel for Defendant. If such motions are granted, Mr. Martenson and Ms. Keeton would assume the role of lead counsel for Defendant, with my firm continuing as local counsel. Accordingly, Defendant would like to reschedule the December 5, 2007 case management conference to a later date, in part, to allow the Court sufficient time to consider Mr. Martenson's

Hon. Robert P. Patterson  
November 29, 2007  
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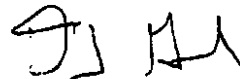
and Ms. Keeton's *pro hac vice* motions, and, if such motions are granted, to then allow Mr. Martenson and/or Ms. Keeton to participate in the case management conference.

In light of the upcoming December holidays, counsel's vacation plans in late December and early January, and counsel's scheduling conflicts in other matters, the parties respectfully request that the case management conference be rescheduled for January 2008. In accordance therewith, counsel for both parties would be available the morning of January 16, January 17, January 29, January 30, or January 31, 2008. The parties further respectfully request that counsel for both parties be permitted to appear at the case management conference via telephone conference.

The December 5, 2007 date is the first setting of the case management conference, and there have been no previous requests for any extension or adjournment. Defendant's counsel has also conferred with Plaintiff's counsel, Paul Cisternino, who has indicated that he consents to Defendant's request for an adjournment of the December 5, 2007 case management conference, consents to the proposed alternate dates set forth herein for rescheduling the conference, and consents to the request that counsel be permitted to appear at the conference telephonically.

Thank you for your consideration of this matter.

Respectfully yours,



David B. Gordon

DBG/blw

cc: Paul Cisternino, Esq. (via e-mail and U.S. mail)  
Donna L. Keeton, Esq. (via e-mail and U.S. mail)

*Application granted  
Conference adjourned  
to 1/16/08 at 9:00 AM  
So ordered  
Robert P. Patterson  
USDC  
11/30/07*